

Peabody, Daniel (EGLE)

From: Peabody, Daniel (EGLE)
Sent: Wednesday, June 8, 2022 2:45 PM
To: saric.james@epa.gov
Cc: Miller, Megen (AG); Roberts, Keegan (robertsk@cdmsmith.com); Williams, Lisa; Diana, Matthew (DNR); Wesley, Jay (DNR); Mills, Mark (DNR); Alexander, Kyle (EGLE); Haroldson, Derek (EGLE); Kline, David (EGLE); Riley, John (EGLE); Trumble, Luke (EGLE); Walczak, Joseph (EGLE)
Subject: EGLE Cover Letter and Detailed Comments_Kalamazoo River Superfund Site OU5 Area 1 Remedial Reach RA_WCP_WMRDP
Attachments: FINAL_EGLE Cover Letter and Detailed Comments_Kalamazoo River OU5 Area 1 RA_WCP_WMRDP.pdf

Jim,

Attached are EGLE's comments on the Round 6 submittals for subject work plans (WPs) that were submitted to support the upcoming remedial action (RA) for the Remedial Reach. The Round 6 submittals included the Waterway Construction Plan (WCP), and the Waste Materials Removal and Disposal Plan (WMRDP). Comments on other RA WPs will be submitted under separate cover letters and generally grouped based on the week they were submitted.

Thanks,

Daniel Peabody

Environmental Quality Analyst

Remediation and Redevelopment Division

Michigan Department of Environment, Great Lakes, and Energy

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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
LANSING



LIESL EICHLER CLARK
DIRECTOR

June 8, 2022

VIA E-MAIL and U.S. MAIL

Jim Saric
Remedial Project Manager
United States Environmental Protection Agency
Region 5
77 West Jackson Boulevard (SR-6J)
Chicago, Illinois 60604-3511

Dear Jim Saric:

SUBJECT: Michigan Department of Environment, Great Lakes, and Energy (EGLE) Comments on the Waste Materials Removal and Disposal Plan (WMRDP), and the Waterway Construction Plan (WCP), all dated May 2022, Area 1 of Operable Unit 5 (OU5), Allied Paper Inc./Portage Creek/Kalamazoo River Superfund Site (Site).

By way of this correspondence, EGLE formally submits this cover letter and detailed comments (attached) for inclusion in the Administrative Record for the Site. A brief description of the Area 1 remedial action (RA) is included below.

The draft subject documents that were submitted provide details to support implementation of the Area 1 RA. Georgia-Pacific and International Paper are respondents (Respondents) to a Unilateral Administrative Order (UAO) (Docket No: V-W- 17-C-002) for remedial design (RD) and RA for Area 1 of OU5. The UAO requires implementation of the Area 1 Record of Decision (ROD) (Appendix A) and the procedures and requirements for implementing the work, are outlined in the Statement of Work (SOW) (Appendix B) that is included as an attachment to the UAO. The selected sediment remedy in the Area 1 ROD requires, among other things, excavation of the Crown Vantage Side Channel (CVSC) and select sediment 'hot spots' in a portion of the river referred to as the remedial reach which begins in the city of Kalamazoo near Mayors Riverfront Park and extends approximately three river miles downstream to Parchment.

Following completion of the RD/RA pre-design investigation (PDI) as described in the PDI Evaluation Report Parts 1 & 2, the PDI sampling in 2017 'eliminated' KPT-20 as a 'hot spot' but the PDI sampling identified Verburg Park Pond as a 'hot spot'.

At the 30 percent RD phase, the United States Environmental Protection Agency (U.S. EPA) approved a request from the Respondents to splinter the RD/RA for the sediment remedy into three individual components based on location. The RD and RA for the CVSC 'hot spot' was completed in 2020 and 2021, respectively.

The 95 percent Sediment Remedial Design (95RD) – Remedial Reach, which included design details for ‘hot spots’ KRT-4, KRT-5/FF-19, and SIM-1 was submitted in August 2021, followed by an Addendum that was submitted in October 2021 for Bedform 118 (SED-118), which is an additional ‘hot spot’ located upstream of the Verburg Park Pond outlet that was identified during the RD/RA PDI and added to the scope of the RD/RA by the U.S. EPA during development of the 95RD – Remedial Reach. EGLE provided a cover letter and detailed comments on the 95RD – Remedial Reach and Addendum to the U.S. EPA on October 27, 2021. The Final Sediment Remedial Design (100RD) – Remedial Reach was submitted on December 17, 2021. EGLE provided comments on the 100RD to the U.S. EPA on February 9, 2022, and the U.S. EPA issued an approval of the 100RD and authorization to proceed with RA the same day. The sediment RD for the furthest upstream ‘hot spot’ in the Remedial Reach, KPT- 19, is not part of this RD/RA. EGLE expects to receive a standalone RD for KPT-19 soon.

The subject documents were submitted per the requirements of Section 4 of the SOW and provide details for sediment ‘hot spots’ referred to as KRT-4, KRT-5/FF-19, Verburg Park Pond, SED-118 and SIM-1, which are in the Remedial Reach. Similar to the RA work plans and documents that were submitted by the Respondents prior to implementing the RA at the CVSC, an expedited review and comment time is being requested so that the RA can begin or around June 13, 2022. The subject WMRDP and WCP work plans were submitted on May 6, 2022.

EGLE’s comments were developed after reviewing the subject documents, presentation slides provided during work groups meetings that were held on March 29, April 11, April 12, April 19, April 22, April 26, May 3, May 10, and May 26, and following a site visit to the proposed staging areas that was held on April 7 and attended by the U.S. EPA and their consultant (Jacobs Engineering), EGLE, the Area 1 Respondents and their respective consultants (Wood Environment & Infrastructure Solutions [Wood], and GeoSyntec Consultants), and the contractor that was selected by the Respondents to implement the RA (Sevenson Environmental Services).

One comment on the subject RA work plans is included below and detailed comments are provided as an attachment.

1. As commented on the 100RD and previously submitted RA work plans, EGLE is concerned that situations may arise during residual dredging phases that may mobilize contaminated sediment on to clean backfill if dredging is still occurring upstream of areas that are completed. This workplan discusses the opportunity for additional impacts due to spudding in completed areas. The planned sequence of work is likely to increase the need for spudding in completed dredge management units (DMUs) either to perform residual dredging or place backfill material. EGLE recommends that backfill placement be conducted only after all upstream locations are confirmed and all residual passes have been completed to eliminate the need for spudding and anchoring in completed DMUs.

EGLE appreciates the opportunity to review and comment on the subject Work Plans for Area 1 and looks forward to working with all parties involved on this project. If you have any questions, please contact Mr. Daniel Peabody, Environmental Quality Analyst, Remediation and Redevelopment Division at 517-285-3924; PeabodyD@Michigan.gov; or EGLE, P.O. Box 30426, Lansing, Michigan 48909-7926.

Sincerely,



Daniel Peabody
Environmental Quality Analyst
Superfund Section
Remediation and Redevelopment Division

Attachments

att/cc: Megen Miller, Michigan Department of Attorney General
Dr. Keegan Roberts, CDM Smith
Dr. Lisa Williams, U.S. Fish and Wildlife Service
Matt Diana, Michigan Department of Natural Resources (MDNR)
Mark Mills, MDNR
Jay Wesley, MDNR
Kyle Alexander, EGLE
Derek Haroldson, EGLE
David Kline, EGLE
John Riley, EGLE
Luke Trumble, EGLE
Joseph Walczak, EGLE

**Allied Paper Inc./Portage Creek/Kalamazoo River Superfund Site
Area 1 Waste Materials Removal and Disposal Plan
Remedial Reach
Kalamazoo River Area 1**

Commenting Organization: EGLE

General Comment #1: This document is missing a section referencing supporting workplans.

SPECIFIC COMMENTS

Commenting Organization: EGLE

Section: 3

Page #: 2

Lines #: 10-14

Specific Comment #1: This section mentions appropriate buffers and over dredge tolerances for TSCA removal and should either list the tolerances or reference the document that discussed the tolerances.

Allied Paper Inc./Portage Creek/Kalamazoo River Superfund Site
Area 1 Waterway Construction Plan
Remedial Reach
Kalamazoo River Area 1

Commenting Organization: EGLE

General Comment #1: As commented on the 100 percent design, EGLE is concerned that situations may arise during residual dredging phases that may mobilize contaminated sediment on to clean backfill if dredging is still occurring upstream of areas that are completed. This workplan discusses the opportunity for additional impacts due to spudding in completed areas. The planned sequence of work is likely to increase the need for spudding in completed DMUs either to perform residual dredging or place backfill material. EGLE recommends that backfill placement be conducted only after all upstream locations are confirmed and all residual passes have been completed to eliminate the need for spudding and anchoring in completed DMUs.

SPECIFIC COMMENTS

Commenting Organization: EGLE

Section: 5

Page #: 3

Lines #: 9-12

Specific Comment #1: This section mentions an approach to limit spudding in completed DMUs but does not say they explicitly will not spud in completed DMUs. Until procedures are implemented to eliminate the need for spudding in areas that have been completed (See General Comment 1), a plan is required to manage spudding and anchoring in completed DMUs. Revise the plan or add an additional section to this work plan discussing the approach for documenting and recording the location of spud anchoring points in previously completed DMUs so these areas can be addressed prior to project completion.